

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

PAMELA WILLIAMS, as Administrator and
Administrator Ad Prosequendum of the
ESTATE OF LAWRENCE LEROY
WILLIAMS and PAMELA WILLIAMS,
Individually,

Plaintiff,

v.

ST. JOSEPH'S REGIONAL MEDICAL
CENTER, DR. HOSSAIN, WALDEMAR
SILVA, M.D., BENEDICTA JIMENEZ,
R.N., MARY ANN YUMUL, R.N.,
KATHLEEN HORTELAN, R.N., VALERIE
SIFUENTES, PCA, JOHN DOE M.D.-1
(Attending Physician at Approximately 9:30
p.m. on 3/16/2014), JOHN DOE, M.D.-1
(Attending Physician at Approximately 9:30
pm on 3/16/2014) JOHN DOE, M.D.-2
(Physician co-signing Dr. Hossain's 3/17/12
note timed at 1:20 a.m.), JANE DOE, R.N.-1
(Nurse involved at time Plaintiff hit his head
on I.V. pole), JOHN DOE, M.D. 3-10, JANE
DOE M.D. 1-5, JOHN DOE R.N. 1-5, JANE
DOE, R.N. 2-5, JOHN DOE 1-10, JANE
DOE 1-10, fictitious names whose present
identities are unknown,

Defendants.

HON. JOSE L. LINARES

Civil Action No.

2:15-cv-05583-JLL-JAD


STIPULATION OF DISMISSAL
WITHOUT PREJUDICE AS TO
THE UNITED STATES OF AMERICA,
SUBSTITUTED AS A PARTY
DEFENDANT IN THE PLACE OF
WALDEMAR SILVA, M.D.

The parties, through their attorneys, hereby stipulate that this civil action shall be dismissed without prejudice and without costs pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) as to Defendant United States of America, which was substituted as a party defendant in the place of Waldemar Silva, M.D. The dismissal of the United States is based on the plaintiff having not


presented an administrative tort claim to the appropriate federal agency for consideration prior to filing this lawsuit as required by the Federal Tort Claims Act, 28 U.S.C. § 2675(a).

The parties further stipulate that in light of the dismissal of the United States as a party defendant, this action should be remanded to the Superior Court of New Jersey, Law Division, Passaic County, for further proceedings.

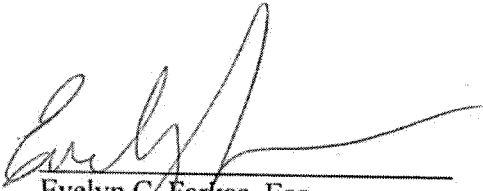
Respectfully submitted,


Douglas S. Grossbart, Esq.
Seigel Capozzi Law Firm, LLC
505 Goffle Road
Ridgewood, NJ 07450
For Plaintiff

Dated: July 24, 2015


Paul J. Fishman
United States Attorney
Allan B. K. Urgent
Assistant United States Attorney
970 Broad Street, Suite 700
Newark, NJ 07102
For Defendant United States


Dated: July 10, 2015


Evelyn C. Farkas, Esq.
Farkas & Donohue
25A Hanover Road, Suite 320
Florham Park, NJ 07932
For Defendant St. Joseph's Regional Hospital and Medical Center
and all identified health care providers except Waldemar Silva, M.D.

Dated: July __, 2015

SO ORDERED:
DATED:  8/24/15